

FILED 21 MAY '19 13:15 USDC-ORP

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

Antonio Gabriel Ortiz

(Enter full name of plaintiff(s))

Plaintiff(s).

v.

Eugene Police Dept.
City of Eugene
and individual Police officers

(Enter full name of ALL defendant(s))

Defendant(s).

Civil Case No. 6:19-cv-00790-AA
(to be assigned by Clerk of the Court)

PRISONER CIVIL RIGHTS
COMPLAINT

I.

- A. Have you brought any other action or appeal in a court of the United States while a prisoner?

Yes ☐

No ☒

- B. If your answer to A is yes, how many? _____. Describe the lawsuit(s) in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

2. Court: _____
3. Docket Number: _____
4. Name of judge to whom case was assigned: _____
5. Disposition (Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing: _____
7. Approximate date of disposition: _____

II.

A. Place of confinement: _____

B. Is there a prisoner grievance procedure in this institution?

Yes ☐

No ☐

C. Have you filed a grievance concerning the facts relating to this complaint?

Yes ☐

No ☐

If your answer is no, explain why not:

D. Is the grievance process completed?

Yes ☐

No ☐

III. PARTIES

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff: Antonio Ortiz
 Security Identification No.: 22201917
 Address: Coffe Creek Correctional Facility
24499 S. Grahams Ferry Road Wilsonville, OR 97070

(In item B, place the full name of each defendant, his/her official position, and his/her place of employment.)

B. Defendant Fellman, S is employed as a police officer Badge # 335
 at Eugene Police Department

Defendant Wright, Roy is employed as a police officer Badge # 371
 at Eugene Police Department

Defendant Michael Breibford is employed as a police officer Badge # 1104
 at Eugene Police Department

Defendant Underwood, R is employed as a police officer Badge # 699
 at Eugene Police Department

Defendant Sean Dillon is employed as a Police officer
 at Eugene Police Department

Additional defendants: City of Eugene, Eugene
Police Department

IV. STATEMENT OF CLAIM

Claim I

State what right under the Constitution, laws, or treaties of the United States has been violated.

Eugene Police Department Policies, ~~Use of Force~~
~~Police Violation of Procedure~~

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

Beating me while strapped to a gurney
and cutting off my air supply making my lips
turn purple and told by ER staff that they need to
stop and bring me back into the hospital for re-
evaluation and treatment for losing oxygen and
pain caused by being beaten by Eugene Police officers

Claim II

State what right under the Constitution, laws, or treaties of the United States has been violated.

Use of Force Violation of Procedure

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

I was handcuffed while a Eugene Police officer named Fellman, Police officer badge # 335 applied a taser with the electrical prongs to my mid-back causing me to go into cardiac arrest with no pulse no breathing for well over a minute. Causing temporary Death until Medics arrived and applied CPR. I woke up in River Bend ICU hospital, a time later and told my heart was now enlarged on the right side due to the temporary death I experienced. Due to the Police Department excess use of force applied to me.

Claim III

State what right under the Constitution, laws, or treaties of the United States has been violated.



Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

I was handcuffed then an officer Fellman told me to stop moving then he shot me with the taser prongs I fell down and my heart stopped and was dead for more than a minute. While being discharged from the hospital officers Underwood, Wright, Michael Brelsford, Sean Dillen beat me put their thumbs in my eye sockets, punched me multiple times, choked me until my lips were purple, struck me multiple times on my legs, arms, stomach and face leaving bruises swollen limbs and deprived me of oxygen until a Dr and multiple staff from the ICU told the officers

to stop assaulting me and that it wasn't a good idea to keep doing what they were doing to me and to bring me back into the hospital and denied custody of me to Eugene Police Department and their officers. They needed to be educated me and kept over night for ~~best~~ observation and treatment of pain, bruising and lack of oxygen.

(If you have additional claims, describe them on another piece of paper, using the same outline.)

V. RELIEF

State briefly exactly relief you are seeking. Make no legal arguments. Cite no cases or statutes.

I'm seeking damages in the amount of \$2,500,000 for violating my civil right, Breaking Eugene Police Department Policies, Violating Use of Force Procedure and pain and suffering, emotional distress and temporary death

Signed this 12 day of March, 2019.

Antonio Ortiz

(Signature of Plaintiff(s))